

Message Text

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21/13

ACTION L-03

INFO OCT-01 IO-14 ISO-00 DRC-01 CPR-02 CIAE-00 DODE-00

PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01

SPC-03 SS-20 USIA-15 ACDA-19 SCA-01 SY-10 A-01 USSS-00

FBIE-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 /198 W

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R 220146Z NOV 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 1378

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E.O. 11652: N/A

TAGS: UNGA, PINS

SUBJ: UNGA - LEGAL COMITE -- PROTECTION OF DIPLOMATS

1. DRAFTING COMITE MET NOV 21 TO CONSIDER FINAL ARTICLES AND TITLE.

2. AT SAHOVIC'S (CHAIRMAN) SUGGESTION, ISSUE OF PARTICIPATION DEFERRED BECAUSE PRIVATE CONSULTATIONS INDICATED TO HIM THAT DRAFTING COMITE NOT ABLE TO ADOPT COMPROMISE. HE SUGGESTED THAT IF NO COMPROMISE POSSIBLE, BASIC POLICY CHOICE WOULD BE REFERRED TO SIXTH COMITE. HE STATED OPTIONS AS: (A) "ALL STATES" AND SYG DEPOSITARY, AS RECOMMENDED BY WORKING GROUP; (B) "ALL STATES" AND MULTIPLE DEPOSITARIES, AS PROPOSED BY UK; OR (C) IF CHOICE BETWEEN THESE TWO OPTIONS NOT REACHED, POSSIBLE SUBSIDIARY OPTION OF VIENNA FORMULA. COMMENT: UK IS SOMEWHAT EMBARRASSED BECAUSE (THEY INFORMED US PRIVATELY) AFTER THEY MADE PROPOSAL FOR MULTIPLE DEPOSITARIES THEY RECEIVED NEW INSTRUCTION SAYING THAT IF SYG RELAXED ABOUT OPTION (A), UK WOULD PREFER THIS OPTION TO MULTIPLE DEPOSITARIES. WE SEE MUCH MERIT IN THIS VIEW. UK HAS THUS NOT FOLLOWED UP BY CONTINUING TO PRESSURE USSR ON PURPORTED AGREEMENT BY USSR TO ACCEPT MULTIPLE DEPOSITARY FORMULA. END COMMENT.

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3. DRAFTING COMITE DECIDED ON 22 AS NUMBER OF STATES
NECESSARY FOR ENTRY INTO FORCE OF CONVENTION.

4. DRAFTING COMITE HAD DISCUSSION WHETHER SAHOVIC SHOULD SAY
ANYTHING ABOUT RESERVATIONS ARTICLE UNDER DISCUSSION BY GONZALEZ
GALVEZ GROUP (PARA 9 OF USUN 4930) AND DECIDED THAT SILENCE
BEST POLICY UNTIL SOLUTION WORKED OUT. UK COMMENTED THAT IF
RESERVATIONS ARTICLE ACCEPTED, COMITE SHOULD CONSIDER DELETION
OF PARAS 2 AND 3 OF ARTICLE 12, BUT THIS BROUGHT IMMEDIATE
NEGATIVE REACTION FROM USSR, SUPPORTED BY TUNISIA.

5. ON TITLE OF CONVENTION, ALL SUGGESTIONS FOR CHANGES
WITHDRAWN EXCEPT SUGGESTION BY TUNISIA, WHICH MET GENERAL
SUPPORT, TO DELETE "DIPLOMATIC AGENTS AND OTHER." HOWEVER,
USSR OBJECTED AND DECISION WAS PUT OFF. KENYA ANNOUNCED THAT IF
SOLUTION TRANSMITTED PARA 9 OF USUN 4930 WAS ADOPTED, IT RESERVED
RIGHT TO MAKE ADDITIONAL SUGGESTION FOR MODIFICATION OF TITLE OF
CONVENTION.

6. DRAFTING COMITE WILL MEET NOV 22 AM AND NOV 23 PM FOR
TOILETTE FINALE OF CONVENTION.

7. IN LEGAL COMITE GONZALEZ GALVEZ ANNOUNCED THAT COMITE WOULD
TAKE UP AM NOV 23 (AFTER COMPLETION OF AGGRESSION AND
UNCITRAL ITEMS) CONVENTION ON PROTECTION OF DIPLOMATS.
SAHOVIC WOULD SUBMIT RESULT OF WORK ON FINAL CLAUSES AND
ASYLUM. COMPROMISE ON NATIONAL LIBERATION MOVEMENTS WILL
OBVIOUSLY NOT BE READY BY THIS TIME.
BENNETT

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